



CNR: KAHC010401942026

NC: 2026:KHC:37685
CRL.A No. 985 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL APPEAL NO.985 OF 2026

BETWEEN:

SRI. SRIDHAR L M
S/O MANJUNATH
AGED ABOUT 23 YEARS
WORK AS COOK HELPER
R/AT LOCHERUVUPALLI VILLAGE
RONUR HOBLI
SRINIVASAPURA TALUK
KOLAR-563 101

...APPELLANT

(BY SRI. PRAKASH T, ADVOCATE)

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

AND:

1. STATE OF KARNATAKA BY
KOLAR RURAL POLICE STATION
KOLAR-563 101
KOLAR DISTRICT
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA BUILDINGS
BANGALORE-560 001
2. SMT. CHOWDAMMA
W/O LATE HANUMANTHAPPA
AGED ABOUT 75 YEARS
R/AT JANNAGHATTA VILLAGE
SUGATURU HOBLI



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KOLAR TALUK
KOLAR-563 101

...RESPONDENTS

(BY SRI MOHAMMED AYUB ALI, ADDL. SPP FOR R1;
SRI K V PRAKASHA, ADVOCATE FOR R2)

THIS CRL.A FILED U/S 14A(2) OF SC/ST (POA) ACT, 2015
PRAYING TO ALLOW THIS CRL.A BY SETTING ASIDE THE
ORDER DTD 02.05.2026 PASSED BY THE II ADDL. DISTRICT
AND SESSIONS JUDGE, AT KOLAR, IN SPL.S.C.NO.16/2023
AND ETC.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL JUDGMENT

This appeal is filed against the order of rejection of bail
petition of the petitioner in Spl. S.C.No.16/2023 dated
02.05.2026.

2. This matter is listed for admission. Heard the
learned counsel appearing for the respective parties.



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3. This is a successive appeal. This appellant is arrayed as accused No.2. When this appellant approached this Court by filing an appeal, the same was rejected making an observation that there are eye witnesses to the incident and also there was a recovery at the instance of accused No.1 as well as this petitioner and the allegation against accused Nos.1 and 2 are similar vide order dated 24.04.2025. While dismissing the appeal filed in Criminal Appeal No.401/2025 made an observation with regard to the eyewitnesses i.e., CW2 and CW3.

4. Now, the counsel appearing for the appellant would submit that CW2 and CW3 are examined as PW2 and PW3 and they have not supported the case of the prosecution.

5. Having perused the material available on record, it discloses that the learned Public Prosecutor examined these two witnesses in length and the evidence of PW2 and PW3 has to be appreciated by the Trial Judge and this Court sitting in the bail petition, cannot appreciate the evidence available on record. Apart from that, this Court while rejecting the appeal made an observation that there was a recovery at the instance



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of both accused Nos.1 and 2 and recovery witnesses were not examined. When such being the case, it is not a case for exercising the discretion to release appellant and there is a specific overt act allegation against accused Nos.1 and 2 that accused No.1 was having an illicit relationship with accused No.3 and at the instance of accused No.3, accused Nos.1 and 2 committed the murder.

6. The counsel for the appellant would submit that this appellant is in custody from last 3 years and the same cannot be a ground to release the appellant on bail in a case of heinous offence of taking the life of a person. Already, trial is commenced and the same is also in progress is also not a ground to enlarge the appellant on bail.

7. The counsel appearing for the State would submit that PW1 to PW3 are examined and remaining witnesses have to be examined.

8. Hence, it is appropriate to direct the Trial Court to record the evidence of remaining witnesses and dispose of the matter within a year.



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9. The learned counsel appearing for the respective parties are directed to assist the Trial Court without seeking unnecessary adjournment in disposal of the case within the time bound period of one year from today.

Accordingly, the appeal is disposed of.

Sd/-
(H.P.SANDESH)
JUDGE

SN